

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WEST VIRGINIA UNIVERSITY HOSPITALS, INC.,
UNITED HOSPITAL CENTER, INC.,
WEST VIRGINIA UNIVERSITY HOSPITALS-EAST, INC.,
CITY HOSPITAL FOUNDATION, INC., and
WEST VIRGINIA UNITED HEALTH SYSTEM, INC.,

Plaintiffs,

v.

Civil Action No. 1:10CV97
(STAMP)

UBS FINANCIAL SERVICES, INC.,
and UBS SECURITIES, LLC,

Defendants.

**ORDER GRANTING JOINT MOTION AS FRAMED
AND SCHEDULING STATUS AND SCHEDULING CONFERENCE**

On July 29, 2010, the parties in the above-styled civil action filed a joint motion to stay this case. The parties have a similar civil action pending in the United States District Court for the Southern District of New York. The parties believe that a ruling by the United States Court of Appeals for the Second Circuit in another civil action will impact the litigation in both the Southern District of New York and in this civil action. The parties have agreed to stay all deadlines and proceedings in this action until thirty days after the docketing of any order by the Southern District of New York denying on the merits UBS's motion for a preliminary injunction in the New York action.

For good cause shown, this Court GRANTS AS FRAMED the parties' joint motion. This Court VACATES its June 28, 2010 first order and notice and STAYS this civil action until 30 days after the docketing of any order by the United States District Court for the

Southern District of New York denying on the merits UBS's motion for a preliminary injunction in the New York Action or until January 24, 2011, whichever occurs first. All parties have reserved the right to apply to this Court for an order lifting the stay at an earlier date upon a showing of good cause. Further, the parties are DIRECTED to notify this Court of when the Second Circuit issues the merit opinion at issue and when the Southern District of New York issues its opinion on the preliminary injunction and to keep this Court advised of any matters affecting the stay. Finally, this Court finds that it will be beneficial to conduct a telephonic status and scheduling conference in this case. Accordingly, it is ORDERED that a telephonic status and scheduling conference will be held on January 24, 2011 at 9:00 a.m. Plaintiff's counsel is hereby DIRECTED initiate a timely conference telephone call with all attorneys to the Court at 304/233-1120 at the time of the scheduled conference.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 30, 2010

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE